

**Minutes of a Regular Session of the Common Council of the Town of Clarkdale  
Held on Tuesday, December 10, 2019**

A Regular Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, December 10, 2019, at 6:00 P.M. in the Clark Memorial Clubhouse, Men's Lounge, 19 N. Ninth Street, Clarkdale, Arizona.

**CALL TO ORDER – Meeting was called to order at 5:59 P.M. by Mayor Von Gausig.**

Town Council:

Mayor Doug Von Gausig

Vice Mayor Richard Dehnert

Councilmember Scott Buckley

Councilmember Bill Regner

Councilmember Debbie Hunseder

Town Staff:

Town Manager Tracie Hlavinka

Utilities/Public Works Director Maher Hazine

Police Chief Randy Taylor

Community Development Director Ruth Mayday

Town Clerk Mary Ellen Dunn

**PUBLIC COMMENT** – The Town Council invites the public to provide comments at this time. Members of the Council may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. §38-431.01(G), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date. Persons interested in making a comment on a specific agenda item are asked to complete a brief form and submit it to the Town Clerk during the meeting. Each speaker is asked to limit their comments to five minutes.

**Robyn Prud'homme-Bauer, Clarkdale resident and business owner reported on 33<sup>rd</sup> Annual Made in Clarkdale Showcase and stated it was a wonderful and successful event. Thanked Town for support.**

**REPORTS**

**Current Events** – A brief summary of current events. The Council will not propose, discuss, deliberate or take legal action on any matter in the summary.

Mayor Von Gausig's Report –

- 11/14/19 – Spoke to Yavapai Democrats about water with emphasis on how waters in other areas affect the Verde River
- 12/07/19 – Cottonwood Christmas Parade

## Vice-Mayor Dehnert's Report –

- 11/27/19 – Helped decorate Gazebo
- 12/07/19 – Cottonwood Christmas Parade

## Councilmember Regner's Report –

- 11/13/19 – TPAC conference call
- 11/16/19 – Attended Preparing for Climate Change talk in Camp Verde
- 11/22/19 – Attended student art exhibit at Yavapai College
- 11/24/19 – Attended Clarkdale Historical Society meeting
- 11/26/19 – Attended Yavapai College Wine & Dine
- 12/05/19 – Attended Friends of the Verde River Appreciation reception
- 12/06/19 – Attended CHSM First Friday and Strategic Planning; Made in Clarkdale
- 12/07/19 – Cottonwood Christmas Parade
- 12/08/19 – Hosted a Revived Sweater Party for homebound seniors

## Councilmember Buckley's Report –

- 11/21/19 – Attended Intergov meeting in Sedona
- 12/05/19 – Attended Open Meeting Law training
- 12/06/19 – Attended Made in Clarkdale event
- 12/07/19 – Cottonwood Christmas Parade

## Councilmember Hunseder's Report –

- 11/21/19 – Attended Intergov meeting
- 11/27/19 – Decorated Gazebo
- 12/02/19 – Magical Christmas Journey to the North Pole with Verde Canyon Railroad
- 12/04/19 – Attended End of Semester Showcase at ASU in Tempe, our group focused on Downtown Business Corridor revitalization plan
- 12/05/19 – Attended Open Meeting Law training; Made in Clarkdale
- 12/06/19 – Attended First Friday CHSM, presented by Jane Winiecki; Made in Clarkdale Gala
- 12/07/19 – Cottonwood Christmas Parade

## Town Manager Hlavinka's Report –

- Conducted my regular meetings with Council and Town Directors
- November 14<sup>th</sup> - Conducted interviews on for the Community Development Director position. I am pleased to announce, we have hired the Interim Planner Ruth Mayday as the director.

- November 20<sup>th</sup> – Held a meeting with staff, the Mayor and the Department of Revenue to get further information on the Food For Home Consumption TPT. This will be coming back to Council in January.
- November 21<sup>st</sup> – Intergovernmental Meeting
- November 27<sup>th</sup> – Met with a developer from Prescott
- December 2<sup>nd</sup> – Took the Train ride with Council, Board members and staff for the Verde Valley Canyon Train Magic Rehearsal
- December 3<sup>rd</sup> – Attended the Yavapai County Mayors, Managers, Supervisors, Tribe and Nation biannual meeting in Prescott
- December 4<sup>th</sup> – Attended the ASU Showcase for the Sustainable Cities Project with Debbie and Ruth Mayday
- December 5<sup>th</sup> – Attended Open Meeting Law Training. Thank you to Mary Ellen for setting that up for Board Members and staff.
- December 5<sup>th</sup> – Met with Brenda Schorr from the Clarkdale Municipal Court
- December 5<sup>th</sup> – Attended Friends of the Verde River, Fiesta de la Garza with Maher Hazine
- December 6<sup>th</sup> – Had breakfast with Randy Garrison, County Supervisor, Ron Corbin, City Manager of Cottonwood, Tim Elinski, Mayor of Cottonwood
- December 6<sup>th</sup> – Attended the VVREO Board of Directors Meeting
- December 6<sup>th</sup> – Attended the Made In Clarkdale event
- December 7<sup>th</sup> – Participated in the Cottonwood Holiday Parade
- December 7<sup>th</sup> – Attended the Cottonwood Chocolate Walk

**Organizational Reports** – Reports regarding regional organizations.

CAT – Cottonwood Area Transit (Councilmember Buckley)

- No report

VVTPO – Verde Valley Transportation Planning Organization. (Councilmember Regner)

- No report

NACOG - Northern Arizona Council of Governments. (Vice Mayor Dehnert)

- No report

VVREO-LRSPC – Verde Valley Regional Economic Organization's Long Range Strategic Planning Committee (Councilmember Hunseder)

- No report

TPAC – Transportation Policy Advisory Council. (Councilmember Regner)

- November 13<sup>th</sup> – Discussions included 2015 "Fixing America's Surface

Transportation Act (FAST). \$7.6 Billion in contract authority may be lost to states. Highway Trust Fund of federal gas tax has only 2/3 of needed funding. ADOT has \$105 million deficit. U.S. DOT announced there were \$900 billion in infrastructure grants through Better Utilizing Investments to Leverage Development (BUILD) transportation discretionary grants. State has a half billion dollar surplus.

NAMWUA - Northern Arizona Municipal Water Users Association. (Vice Mayor Dehnert)

- No report

**CONSENT AGENDA** - The consent agenda portion of the agenda is a means of expediting routine matters that must be acted on by the Council. All items are approved with one motion. Any items may be removed for discussion at the request of any Council Member.

**B. Reports** - Approval of written Reports from Town Departments and Other Agencies

Building Permit Report – October, November 2019  
 Capital Improvements Report – October, November 2019  
 Magistrate Court Report – October, November 2019  
 Water and Wastewater Report – October, November 2019  
 Police Department Report – October 2019  
 Special Event Liquor License Recommendations: December 6 – 7, 2019 Made in Clarkdale Showcase  
 CAT/LYNX Transit Report – October 2019  
 Verde Valley Humane Society – September, October 2019

**C. Claims** - List of specific expenditures made by the Town during the previous month. November, 2019 check log and PPE dated October 28, November 4, 9, 18, 23, and 25, 2019.

**D. Board and Commission Minutes** – Acknowledgement of receipt of minutes and draft minutes of the previous month's Board and Commission Meetings.  
 Design Review Board Notice of Cancellation of meeting November 6, 2019;  
 minutes of meeting held November 20, 2019  
 Planning Commission Notice of Cancellation of meeting November 19, 2019  
 Parks and Recreation Commission Notice of Cancellation of meeting November 5, 2019

Councilmember Regner pulled Item A and Councilmember Buckley pulled Item E.

**Action: Approve Consent Agenda items B, C and D as presented.**

**Motion: Councilmember Regner**

**Second: Councilmember Hunseder**

**Vote:**

Voting Member	Aye/Nay
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Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye
Council Member Debbie Hunseder	Aye
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

Councilmember Regner discussed the minutes from Strategic Planning. He is looking at the SWOT analysis and would like to see "Annexation to Cottonwood" left out of minutes as possible threat as he worried it would be interpreted as an imminent threat rather than a remote and distant possibility only if revenues forced another Council in that direction. He stated he believes that being proactive and cognizant would remove any threat of this item. Vice Mayor Dehnert agreed and also disliked the term "political instability". Both were concerned about statements and comments being misinterpreted.

Mayor Von Gausig noted that most of the items listed under "Threats" were not imminent threats but very remote possibilities.

Councilmember Hunseder noted that "political instability" was possibly intended to be in reference to State and Federal government rather than local.

Town Manager Hlavinka clarified the intent of analysis and brainstorming session. The work plan that will be later adopted by Council would be the final document that comes out of the Strategic Planning session.

Mayor agreed with Councilmember Buckley that minutes should remain unchanged.

- A. Approval of Minutes of the Common Council** - Approval of the minutes of the Regular Meeting held November 12, 2019 and Strategic Planning Meeting on November 5, 2019.

**Action: Approve Consent Agenda item A as presented.**

**Motion: Councilmember Regner**

**Second: Vice Mayor Dehnert**

**Vote:**

Voting Member	Aye/Nay
Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye
Council Member Debbie Hunseder	Aye
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

- E. Resolution for Local Regulation of Short-Term Rentals** – Approval of Resolution #1616, a resolution of the Clarkdale Town Council, calling for local regulation of short-term rentals to address the negative impacts on local communities.

Increases in use of short-term rentals has created negative impacts on local communities and created issues affecting surrounding neighborhoods including:

- Increased traffic and street congestion
- Noise violations and large parties
- Loss of housing stock and increased rental rates for full-time residents
- Loss of neighborhood character
- Frustrated neighbors with little recourse to resolve issues and problems
- Unfair competition with Hotels/Motels and Bed and Breakfasts

Resolution #1616 calls for local regulation and support allowing local governments to regulate these short-term rentals and address negative impacts by:

- 1) Including a provision in A.R.S. § 9-500-39 that allows "vacation rentals" or "short-term rentals" to be regulated in the same manner as all transient lodging activities described in A.R.S. § 42-5070; and
- 2) Amending A.R.S. § 9-1301(10) to specify that the definition of "residential rental dwelling unit" does not include "vacation rentals" or "short-term rentals".

Councilmember Buckley pulled to discuss for clarification. Council noted that this was a regional effort to support League of Arizona to bring to legislature allowing cities and towns local regulation.

**Action: Approve Consent Agenda item E as presented.**

**Motion: Councilmember Buckley**

**Second: Vice Mayor Dehnert**

**Vote:**

<b>Voting Member</b>	<b>Aye/Nay</b>
Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye
Council Member Debbie Hunseder	Aye
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

## **NEW BUSINESS**

**DOWNTOWN PARKING STUDY** – Discussion and possible action regarding the proposed Downtown Parking Study and authorizing the Public Works Director to implement the plan.

During events held in the downtown area it has been noted parking opportunities are limited. In addition, potential developers of the commercial building located along Main Street and the surrounding areas have expressed concerns about developing these buildings due to the limited availability of parking spaces.

During the FY 2018/2019 budget discussion, the Town Council directed staff to evaluate alternatives within the existing roadway sections to allow for additional parking opportunities.

On March 26, 2019 work session, staff presented several options and after some discussion, Council directed staff to make some revisions and bring back for final approval.

In order to evaluate parking solutions, the staff of the Public Works-Utilities Department deployed several traffic counters along Main Street just east of 9<sup>th</sup> Street and along Clarkdale Parkway just west of Sunset to determine the primary path of the traffic into the downtown area. Based on the traffic count collected for a period of two weeks, it was determined that the majority of the traffic into downtown does enter from Clarkdale Parkway.

As the next step in the process, we evaluated available street cross-sections to determine available space for parking configurations. Generally, angled parking provides the highest space count per frontage. As a tradeoff, angled parking requires more street width. Main Street would need to be converted to one-way traffic only as there would not be any room to allow for two-way traffic patterns.

The Council preferred a parking design concept allowing for continued two-way traffic on Main Street and addressing local businesses concerns.

Public Works-Utilities Director Maher Hazine presented information on this agenda item.

Hazine stated that the restrictive two-hour parking signs would be removed from the eastbound lane of Main Street. Further discussion followed regarding traffic flows and additional parking opportunities. Maher said this plan would provide an additional 156 parking spaces.

**Action: Approval for the Downtown Parking Study and authorization for the Public Works Director to implement the plan within the budget of \$34,500.**

**Motion: Councilmember Buckley**

**Second: Councilmember Hunseder**

**Vote:**

<b>Voting Member</b>	<b>Aye/Nay</b>
Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye
Council Member Debbie Hunseder	Aye
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

**ENGINEERING SERVICE AGREEMENT FOR FEASIBILITY STUDY FOR WATER RESOURCES** - Discussion and possible action regarding the award of an engineering feasibility study to evaluate alternatives to bring the Mescal Well online and evaluate alternatives to improve the operational functionality of Haskell Springs.

The Town of Clarkdale owns several wells, two of which have arsenic exceedances over allowable limits. Arsenic is an element that occurs naturally in rocks and soil and is used for a variety of purposes within industry and agriculture. It is also a byproduct of copper smelting, mining, and coal burning. Arsenic can enter the water supply from natural deposits in the earth. It is widely believed that naturally occurring arsenic dissolves out of certain rock formations when ground water levels drop significantly.

On January 22, 2001, The Environmental Protection Agency (EPA) adopted a new standard for arsenic in drinking water of 0.01 mg/l or 10 parts per billion (ppb), replacing the old standard of 50 ppb. Water systems had to meet the new standard by January 23, 2006.

The three primary wells that the Town owns are Haskell Springs, Mountain Gate, and Mescal Well. Haskell Springs well has concentrations of only 3 ppb (well below the revised limits). Mountain Gate water naturally has water with 30 ppb levels. This water is treated to a level of 4-5 ppb (well below the regulatory limits). The Mescal Well was tested and produces water with approximately 14 ppb (slightly above the regulatory limit).

The Mescal Well does not have wellhead treatment, so it is not currently in operation. The Mountain Gate well with arsenic levels above the federal drinking water standard is treated at the 89A reservoir site. Haskell Springs is a relatively shallow well and as such, needs to be supplemented with water from the 89A reservoir during the summer high demand months. Given these operational and water quality concerns, Town staff would like to evaluate how best to manage their potable water supply. The evaluation will include a comparison of several arsenic treatment technologies.

This feasibility study will include a collection of available data such as historical flow and water quality test results, O&M budget for each well site, and as-built plans. Using the gathered data, a comparison will be made of various treatment technologies and related future O&M costs. Finally, the consultant will evaluate several options including:

- 1) Keep Mescal shut down and drill Haskell Springs deeper so that it does not need to be supplemented in summer months;
- 2) Provide wellhead treatment at Mescal;
- 3) Pump Mescal water north to a centralized arsenic treatment facility; and
- 4) Develop a blending plan that allows for a combination of all well flows into a centralized system and avoids additional treatment.

Public Works-Utilities Director Maher Hazine presented information on this agenda item.



Discussion followed regarding bid requirements, costs and time frames. Hazine stated that there are four other companies that are job-order contractors however Garver USA is a company that was known for its expertise in the area of water resources and provides services that the others do not. In addition, State legislation allows us to select professional engineering up to \$500,000 without undergoing the bidding process.

**Action: Authorize the Public Works Director to finalize the Engineering Service Agreement for a Feasibility Study For Water Resources and award to Garver USA for an amount not to exceed \$74,500.**

**Motion: Councilmember Regner**

**Second: Vice Mayor Dehnert**

**Vote:**

<b>Voting Member</b>	<b>Aye/Nay</b>
Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye
Council Member Debbie Hunseder	Aye
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

**BID FOR THE CONSTRUCTION OF THE BLACK HILLS SEWER LINE EXTENSION PHASE**

**1** – Discussion and consideration of the bid for the construction of Black Hills Sewer Line extension, Phase 1, in an amount not to exceed \$260,000, and authorizing Public Works Director to negotiate and contract and issue a Notice to Proceed.

Arizona Revised Statutes Section 9-463.05(A) states that "*A municipality may assess development fees to offset costs to the municipality associated with providing necessary public services to a development, including the costs of infrastructure, improvements, real property, engineering and architectural services, financing and professional services required for the preparation or revision of a development fee pursuant to this section, including the relevant portion of the infrastructure improvements plan.*"

Senate Bill 1525 (SB1525) was passed in 2011 that limited the ability of cities and towns to collect impact fees and allowed these agencies to spend any collected funds before January 1, 2020.

At the request of Council, staff had a Water/Wastewater Feasibility Study conducted to evaluate the current water distribution and wastewater collection system within the Town and evaluate feasibility to expand such systems to unserved areas.

Staff presented to Council on October 22, 2019 in a work session and at the 2019 Strategic planning meeting held on November 05, 2019, options for implementation of findings of the feasibility study subject to available funding. These options would have to be prioritized based on highest return on investments. These include:

- Areas with the **higher density** of developed properties

- Areas that have a **potential for commercial or industrial development**
- Areas where we can **leverage our investment** (*public-private partnerships*).

While Council has directed staff to focus on areas that have a potential for commercial or industrial development potential, more specifically the 89A corridor, it was noted that the current development fee funding would be directed in the area of Blackhills Drive where there is a potential of public-private partnerships.

As such, the Town prepared the engineering plans in-house (to maximize our existing funding) for the area within the available funds. As such, the Town will proceed with constructing 1500 feet of 8-inch sewer line from the intersection of Scenic Drive and Old Jerome Highway down Peregrine Lane working toward Everate Lane. This segment is the downstream portion of the line that will end at Sky Circle that will be completed by the developer to provide sewer service to his proposed development.

It is estimated that this work will run under \$260,000. The Town currently has a total of \$239,411 in the Wastewater Development Fee Impact account. As such, additional funding from the existing wastewater capacity fees will be utilized. The Town will collect wastewater capacity, and connection fees as existing properties connect this service.

Public Works-Utilities Director Maher Hazine presented this information to Council.

**Action: Authorize the Public Works Director to finalize bid proposal(s) and award a contract to the lowest qualified bidder for an amount not to exceed \$260,000.**

**Motion: Vice Mayor Dehnert**

**Second: Councilmember Regner**

**Vote:**

<b>Voting Member</b>	<b>Aye/Nay</b>
Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye
Council Member Debbie Hunseder	Aye
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

**HOUSING NEEDS ASSESSMENT BY ELLIOTT D. POLLACK AND COMPANY** – Discussion and consideration of possible authorization of funding for a housing needs assessment not to exceed \$4,000.

The Town of Clarkdale participates in a Verde Valley Workforce Housing group that includes Sedona, Cottonwood, Camp Verde, Jerome, Yavapai College, Yavapai County, Northern Arizona Council of Governments (NACOG) and Verde Valley Regional Economic Organization (VVREO). This group works together to discuss workforce housing needs.

Sedona has hired the consultant Elliot D. Pollack & Company to identify the current workforce housing situation in Sedona and the Verde Valley at a cost of \$100,000. The study includes specific details about Sedona and the effect on the Verde Valley. The consultants have agreed to expand the study to include the entire region at an additional \$40,000. This additional scope of work would provide additional information regarding housing in Clarkdale. This assessment can be an additional asset with the ASU Sustainable Cities Projects. The additional jurisdictions are exploring their ability to contribute to this cooperative effort.

This assessment will include a needs assessment and a five-year action plan. This analysis is instrumental in assisting with the economic development gap in Clarkdale. The original contract with Sedona will only provide generic information regarding housing shortage in the Verde Valley. By participating in the expanded contract, Clarkdale will have specific information regarding housing needs and a plan to address those needs. This information will also be valuable during the 2022 General Plan review.

Funding for this expanded contract would come out of the Economic Development funds budgeted in designated funds.

Town Manager Tracie Hlavinka presented this information to Council.

**Action: Authorize funding for the Housing Needs Assessment by Elliott D. Pollack & Company not to exceed \$4,000 contingent upon reaching the \$40,000 goal from all other sources.**

**Motion: Vice Mayor Dehnert**

**Second: Councilmember Buckley**

**Vote:**

<b>Voting Member</b>	<b>Aye/Nay</b>
Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye
Council Member Debbie Hunseder	Aye
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

**VERDE RIVER INSTITUTE REPORT** - An update from the Verde River Institute on projects and issues that relate to the Verde River @ Clarkdale.

The Verde River Institute (VRI) is a 501(c)(3) non-profit organization committed to developing and facilitating the implementation of policies that help to ensure that the Verde River in central Arizona retains flows that will support sustainable, healthy and diverse economies and ecosystems.

VRI also helps policy makers understand the many complex water resource issues in central Arizona. They are committed to finding sustainable solutions for the human and natural worlds that depend on the Verde River to supply their needs. They are guided by the principle that responses to demands in the system should also increase the river

community's intellectual, political, social, individual, natural, built and financial capital. According to their website, when this goal is realized, the system becomes robust, dynamic and sustainable.

The Vision of the VRI is: Connecting people and resources to promote a healthy, flowing Verde River and a stronger, greater Verde community.

Their Mission: Provide research and data, funding, policy expertise, education and consulting on diverse Verde River issues.

Clarkdale Mayor Doug Von Gausig serves as the Executive Director of the Verde River Institute. Instead of reporting on Verde River Institute topics during his Mayor's report, staff has suggested having a separate agenda item so that the public is more aware that information relating to the Verde River Institute's work will be presented. Mayor Von Gausig will provide on-going updates and reports on Verde River Institute programs and projects that relate to the Verde River @ Clarkdale as part of this agenda item.

Mayor Von Gausig reported on Pecks Lake and evapo-transpiration; Bitter Creek confluence (with the Verde River); and Brewer's Tunnel.

**Action: This is a monthly, or as-needed, report and no Council action is required.**

**FUTURE AGENDA ITEMS** - Listing of items to be placed on a future council agenda.

**ADJOURNMENT** – Without objection, Mayor Von Gausig adjourned the meeting at 7:27 p.m.

APPROVED:

  
Doug Von Gausig, Mayor

ATTESTED/SUBMITTED:

  
Mary Ellen Dunn, Town Clerk

**CERTIFICATION**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the Town Council of the Town of Clarkdale, Arizona held on the 10<sup>th</sup> day of ~~November~~ <sup>December</sup>, 2019. I further certify that meeting was duly called and held and that a quorum was present.

Dated this 14<sup>th</sup> day of January 20<sup>20</sup>.

SEAL

  
Mary Ellen Dunn, Town Clerk